



# Department of Justice

FOR IMMEDIATE RELEASE  
MONDAY, JUNE 20, 2005  
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CRM  
(202) 514-2008  
TDD (202) 514-1888

**FORMER NAZI GUARD JOHN DEMJANJUK**  
**IS RULED REMOVABLE FROM THE UNITED STATES**

WASHINGTON, D.C. – Acting Assistant Attorney General John C. Richter of the Criminal Division announced today that Chief U.S. Immigration Judge Michael J. Creppy has found John Demjanjuk, 85, removable from the United States on the basis of his service during World War II as an armed guard at a Nazi extermination camp and two concentration camps in German-occupied Poland and his subsequent concealment of that service when he immigrated to the United States.

As a former guard at the Sobibor extermination camp, Demjanjuk – a retired auto-worker from Cleveland, Ohio – is only the second person ever brought to court in the United States for having served at one of the four Nazi camps constructed solely to murder people.

Chief Judge Creppy's decision last week follows the government's successful prosecution of its denaturalization case against John Demjanjuk in federal court. In 2002, following trial, Chief Judge Paul R. Matia of the U.S. District Court for the Northern District of Ohio ruled that the government had proved that Demjanjuk was an armed guard at Sobibor, where 250,000 men, women, and children were murdered; at the Majdanek concentration camp, where at least 170,000 civilians died; at the Flossenbürg concentration camp, where some 30,000 civilians perished; and a member of a unit trained at the Trawniki Training Camp to implement "Operation Reinhard," the Nazi program to dispossess, exploit, and murder Jews in Poland. Judge Matia specifically found that Demjanjuk participated in "the process by which thousands of Jews were murdered by asphyxiation with carbon monoxide" in the camp gas chambers at

Sobibor. Judge Matia's decision to revoke Demjanjuk's U.S. citizenship was upheld by a federal appeals court last year, and the government commenced removal (deportation) proceedings on Dec. 17, 2004.

In his 16-page decision, Chief Judge Creppy, citing Judge Matia's conclusive findings, noted that Demjanjuk's actions "prevented the escape of the prisoners being held captive and who were left at the disposition of the Nazis," thus subjecting them to "terrible abuse and almost certain death." He ruled that Demjanjuk was therefore removable from the United States as an alien who participated in Nazi-sponsored persecution on the basis of race, religion, national origin, or political opinion. Still to be decided by Chief Judge Creppy is the country to which Demjanjuk is to be removed. He will also rule on any application that Demjanjuk may file for deferral of removal, which he ordered must be filed prior to the next hearing in the case, scheduled for June 30, 2005 in the U.S. immigration court in Cleveland.

"John Demjanjuk's role in helping to doom thousands of Jews to annihilation in Sobibor's gas chambers renders him singularly unworthy of continued residence in this country," said Eli M. Rosenbaum, Director of the Justice Department's Office of Special Investigations (OSI), which investigated and prosecuted the case. "His participation in the ghastly crimes of the Holocaust renders him unfit to remain here, and the government will seek to remove him as expeditiously as possible."

The deportation case was litigated by OSI Senior Trial Attorney Stephen Paskey. Since OSI began operations in 1979, it has won cases against 100 individuals who assisted in Nazi persecution. In addition, more than 170 individuals who sought to enter the United States in recent years have been blocked from doing so as a result of OSI's "Watch List" program, which is enforced in cooperation with the Department of Homeland Security.

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